



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEBASTIAN QUARTARONE,

Plaintiff,

v.

DOMINICK DIMELE,

Defendant.

10 Civ. 483 (RO)

ORDER

OWEN, District Judge:

Pro se Plaintiff filed a form complaint on January 21, 2010, which he later amended, alleging that *pro se* stockbroker Defendant embezzled money that Plaintiff had invested with Defendant's firm. Defendant answered on February 11, 2010, denying the allegations and providing a "settlement agreement and release" between Defendant and Plaintiff as a complete defense to Plaintiff's claims. The parties appeared before Magistrate Judge Davison on March 16, 2010 and April 13, 2010. Magistrate Judge Davison then converted Defendant's motion for judgment on the pleadings into a motion for summary judgment. On May 28, 2010, Magistrate Judge Davison issued a Report and Recommendation in which he recommended that the Defendant's motion be granted and the case dismissed.

The Court concurs with the Report and Recommendation of Magistrate Judge Davison, and hereby adopts it as the Order of this Court in its entirety.

SO ORDERED.

November 8, 2010

A handwritten signature in black ink, appearing to read "Richard Owen", is written above a horizontal line.

RICHARD OWEN
UNITED STATES DISTRICT JUDGE